- No analysis is conducted as to whether, in light of the Tower's deteriorated condition and lack of structural integrity, the DTV installation project may increase the risk of collapse or failure of the Tower during an earthquake, storm or other adverse climatic event. Such a discussion is necessary and should focus on a range of possibilities from a single acute event such as a major earthquake, as well as the long term chronic stresses of metal fatigue, rust, corrosion, excessive weight on the Tower, and windload.

- The potential of an accident or electrical problem with the Tower to spark a fire in the adjacent greenbelt should be evaluated and discussed.

- The DEIR's conclusory statement that "none of the proposed modifications to the Tower would be expected to change [the] existing noise condition" (DEIR at p. 3-36) is unsupported by facts or analysis in the DEIR because no measurement of existing noise was conducted and no evaluation of changes to windflow through the Tower has been conducted.

- The DEIR incorrectly states that "potential conflicts with the [City's] Master Plan are considered by decision makers independently of the environmental review process." (DEIR at p. 3-33.) However, to the contrary, assessing whether a project will conflict with the local general plan or other adopted plans is a fundamental part of the CEQA process. (See CEQA Guidelines, Appendix G, Subd. (a), (z) [project will normally have a significant effect on the environment if it will conflict with adopted environmental goals of the community or interfere with emergency response or evacuation plans].) In this case, the DTV Project conflicts with:

    a) Planning Commission Resolution No. 11399 which stated that the expansion of antennas or transmission facilities at the Tower would not meet the applicable standard that it "'not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity'"; and

    b) The newly adopted Community Safety element of the San Francisco General Plan, which provides that the City must "[a]ssess the risks presented by ... potentially hazardous structures and reduce the risks to the extent possible." (Policy 2.5.) In addition, the same General Plan element requires the City to "[a]ssure that new construction meets current structural and life safety standards." (Policy 2.1.) The policies are designed to further the objective of "reduc[ing] structural and non-structural hazards to life safety, minimize property damage and resulting social, cultural and economic dislocations resulting from future disasters." (Objective 2.) In that the DEIR fails to analyze seismic and structural issues in any detail, it is impossible to even determine the consistency of the Project with these and other policies and

objectives of the General Plan's Community Safety element.

- The DEIR's analysis of RDR is also flawed in several ways. For one thing, no analysis is made of the consequences of operating main and auxiliary DTSC and DTV antennas, or any combination of them, simultaneously. Some of the auxiliary antennas generate more RF energy than the main antennas and are closer to sensitive receptors.

- The DEIR states that approximately 50% more energy may be necessary to operate the DTV antennas along with the existing transmitters (1,000-1,500 KVA in addition to 3,040 KVA currently used). (DEIR at p. 3-39.) As discussed above, two transformers will be added. The DEIR also states that people near a power line are in its "induction" zone (i.e., within a fraction of a wavelength from the source) and that controversy surrounds reports of the adverse effects on humans from exposure to the electric and magnetic fields present in homes from power lines and appliances. (DEIR at p. 3-4.) However, the DEIR fails to analyze the adverse impacts, related to EMF among other things, of increasing the power use at the site by 50% and two new transformers with homes only 250 feet away.

- The DEIR's conclusion that the existing interference with car alarms caused by AM and FM signals is not expected to change fails to address interference with other electronic equipment which is caused by the transmission of television, radio and other data services from the Tower.

V. THE DEIR FAILS TO ANALYZE SIGNIFICANT AND ADVERSE CUMULATIVE IMPACTS FROM THE PROJECT.

An EIR must analyze and discuss significant cumulative impacts of the project. (CEQA Guidelines § 15130; see also Pub. Res. Code § 21083(b).) Cumulative impacts are "two or more individual effects which, when viewed together, are considerable or which compound or increase other environmental impacts." (CEQA Guidelines § 15355.) The individual effects may be changes resulting from a single project or a number of separate projects. (CEQA Guidelines § 15355(a).) The cumulative impacts analysis is vital in preventing impacts which are individually minor but cumulatively considerable from overwhelming the environment. An EIR's cumulative impacts analysis must address "the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future projects." (CEQA Guidelines § 15355.) The cumulative impacts analysis must include reasonably anticipated future activities of a project or associated with a project. (Discussion following CEQA Guidelines § 15130.)

As mentioned above, even if the structural and seismic upgrades could be considered a separate project, they would nevertheless need to be discussed and considered in this EIR as a closely related past, present, or reasonably foreseeable probable future project.

In addition, the DEIR must assess whether individual impacts from this project which are not found to be significant alone may become significant when viewed in conjunction with other existing impacts. (See Kings County Farm Bureau v. City of Hanford (1990) 221 Cal.App.3d 692, 718-21, [holding that an EIR must find cumulative impacts are significant when they make a small contribution to an existing unacceptable environmental condition].) Thus, a proper analysis would require that the DEIR start by quantifying and evaluating the existing situation in the vicinity of the Tower with respect to seismic, structural and windload issues, noise, visual impacts, interference and other concerns. Then the analysis must address whether the Project will add to any of these adverse situations even incrementally. If so, the DEIR must deem the Project to have a significant cumulative environmental impact. And, of course, if the Project's contribution to an impact area changes an acceptable situation into an unacceptable one, then a significant cumulative impact must also be acknowledged.

The DEIR does not contain any analysis of cumulative impacts. Thus, the DEIR must be revised to add such an analysis regarding issues such as, without limitation, the following:

- The DEIR must assess the current structural and seismic stability of the Tower under existing and projected weight and windload conditions. If the integrity of the Tower is insufficient now, then any addition of weight and windload from the DTV antenna will exacerbate this preexisting unacceptable situation and must be considered cumulatively significant.

- The DEIR must likewise assess the current noise levels in the vicinity of the Tower caused by wind through the Tower during a range of conditions. If these noise levels are significant, then any measurable addition to these levels must be also considered significant.

- The DEIR states that the simplicity and design features of the Tower are currently "visually compromised by the busy feel of the unclad orange trusses, which form the antenna's platform, and the number of cables supporting the three antennas." (DEIR at p. 3-27.) It also states that the proposed new set of antennas would be noticeable "upon relatively close inspection, when in proximity to the Tower." (DEIR at p. 3-28.) In that the Tower's appearance is visually compromised now, the addition of new antennas will only increase the "busy feel" of the Tower, as viewed by the neighboring residents who live in close proximity. The visual impact must be considered cumulatively considerable.

- There is also an existing unacceptable environmental situation regarding the Tower's interference with electronic equipment. As discussed above, this interference occurs not only with TV, radio and car alarms, but also with computer and other equipment. To the extent that the proposed DTV transmission would increase the risk of such interference in any way, this too must be considered a cumulative impact of the Project.

VI. THE DEIR IMPROPERLY CONCLUDES THAT NO MITIGATION MEASURES ARE REQUIRED.

In addition to assessing the significant impacts of a project, EIRs must also set forth and describe mitigation measures to eliminate or minimize those effects. (Pub. Res. Code § 21002.1(a); 21100(b)(3); CEQA Guidelines § 15126(c).) Mitigation measures must be designed to minimize, reduce, rectify or compensate for the project's significant impacts. (CEQA Guidelines § 15370.) Indeed, this is one of the main functions of an EIR. (Pub. Res. Code § 21002.1(a).)

In this case, the DEIR's conclusion that no mitigation measures are required is fundamentally flawed because, as explained above, (1) there are indeed significant adverse impacts from this Project; and (2) the DEIR lacks adequate analysis to determine whether there are other significant adverse environmental effects. The DEIR must be revised to properly analyze significant impacts and to then set forth and describe feasible mitigation measures for these impacts.

VII. THE DEIR'S ANALYSIS OF ALTERNATIVES VIOLATES CEQA BECAUSE IT FAILS TO ANALYZE ANY ALTERNATIVES WHICH COULD OBTAIN THE OBJECTIVES OF THE PROJECT, AS THOSE OBJECTIVES ARE CURRENTLY DEFINED, DESPITE THE EXISTENCE OF A FEASIBLE, ENVIRONMENTALLY SUPERIOR ALTERNATIVE FOR DTV BROADCASTS.

CEQA requires that an EIR describe "a range of reasonable alternatives to the project ... which could feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project", and evaluate the comparative merits of the alternatives. (CEQA Guidelines § 15126(d).)

As discussed above, the DEIR's project objectives are too narrow because the fundamental objective is currently defined to require locating the DTV antennas at Sutro Tower. (DEIR at pp. 2-1, 6-3, 6-7.) As a result, it is impossible for any alternative site to meet the Project's fundamental objective. Such "outcome-forcing" manipulation of objectives in order to disfavor all alternatives to the proposed project is not tolerated by the courts. (See, e.g., Carmel-By-The-Sea, supra, 95 F.3d at 905; Kings County, supra, 221 Cal.App.3d 735-37;; Save the Niobara, supra, 483 F.Supp. at 862.) A project applicant's privately held goals cannot control an agency's decision on the reasonable range of alternatives; reasonable alternatives must be considered "even if they substantially impede the project or are more costly." (San Bernardino Audubon, supra, 155 Cal.App.3d at 750.) Thus, the Project's fundamental objectives must be broadened to a more reasonable scope, such as "To comply with the FCC's DTV mandate" or "To serve all of San Francisco with DTV."

If logical and feasible alternative sites exist, ignoring them violates CEQA's mandate that projects not be approved if alternatives may lessen or avoid impacts. (See Citizens of Goleta Valley v. Board of Supervisors (1988) 187 Cal.App.3d 1167, 1179-80 ("Goleta I"); San Bernardino Valley Audubon Soc'y v. County of San Bernardino (1984) 155 Cal.App.3d 738, 750; see also Laurel Heights Improvement Association v. Regents of California (1988) 47 Cal.3d 376, 403-04.)

The San Bruno Mountain site is a feasible alternative location. (CEQA Guidelines § 15126(d)(5)(B)(2).) As the DEIR itself states, "DTV signals from San Bruno Mountain would be able to serve all of San Francisco." (DEIR at p. 6-5.) The DEIR, however, obfuscates this fact by making several inaccurate statements about the San Bruno Mountain site. (See comments submitted by Watson Communications Systems, Inc.) As a result, this site cannot be rejected simply because it does not meet the overly narrow objective of locating DTV at Sutro Tower.

Moreover, the San Bruno Mountain alternative is environmentally superior. (CEQA Guidelines § 15126(d)(5)(B)(1).) Because it is in a designated open space area, locating DTV antennas at San Bruno Mountain would not have the significant impacts including seismic, structural, noise, visual, RFR, interference and other adverse effects which result from the Tower's close proximity to residential land uses and other sensitive receptors. It is not acceptable to simply state, as the DEIR does, that "[I]f an off-site alternative was constructed and implemented, impacts identified for the proposed project at Sutro Tower would instead occur at the alternative site location." (DEIR at p. 6-5.) This unsupported statement is ludicrous because the nature and severity environmental impacts are largely dependent on the setting in which a project is implemented. As a result, once the Project's objectives are appropriately broadened to allow for consideration of alternative sites, the DEIR must evaluate and compare the San Bruno Mountain alternative, relative to its own environmental context, in a meaningful way. (CEQA Guidelines § 15126(d)(3).)

VIII. THE DEIR MUST BE SUBSTANTIALLY REVISED AND RECIRCULATED FOR ADDITIONAL PUBLIC COMMENT.

Where a lead agency adds significant new information to an EIR after public review and prior to final certification, CEQA requires that the agency issue a new notice and recirculate the EIR to the public and public agencies for additional comment and consultation. (Pub. Res. Code § 21092.) The revised environmental document must be subjected to the same critical evaluation that occurs in the draft stage. (Sutter Sensible Planning, Inc. v. Board of Supervisors (1981) 122 Cal.App.3d 813, 822.)

In light of the foregoing discussion, there is substantial new information concerning the project, its environmental setting, impacts, mitigation measures and alternatives which must be

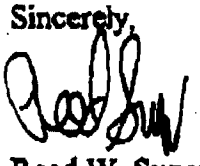
added to the DEIR in order to make it adequate under CEQA. Once this information is added, the revised DEIR must be recirculated to the public and public agencies so that they are not denied "an opportunity to test, assess, and evaluate the data and make an informed judgment as to the validity of the conclusions to be drawn therefrom." (Sutter Sensible Planning, 122 Cal.App.3d at p. 822.)

In addition, recalculation is also necessary because, during the comment period for this DEIR, certain files for the Sutro Tower site which were requested by my clients were apparently missing from the City's file storage and were therefore unavailable. (See Exhibit B, 7/29/97 letter from Planning Department.) The public must have access to background materials so that they can fully comment on the DEIR during the public comment period.

CONCLUSION

The DEIR is uninformative, inadequate and uncertifiable in its present form. Consequently, Twin Peaks Improvement Association and the Midtown Terrace Homeowners Association respectfully request that the City respond to their comments, substantially revise the Sutro Tower DTV DEIR accordingly, and recirculate the resulting DEIR for additional public comment, as required by CEQA. In addition, please include this comment letter and its attachments in the administrative record for the Project. Thank you for considering my clients' concerns.

Sincerely,



Reed W. Super

Encls: Exhibit A
Exhibit B

Declaration of Yan Yan Chew, S.E.
in Support of Comments
on Behalf of the City and County of San Francisco
Regarding Preemption of State & Local Regulation of Broadcast Facilities

I, Yan Yan Chew, do declare:

1. I am a civil engineer employed by the San Francisco Department of Building Inspection. I have worked for the Department of Building Inspection (formerly the Bureau of Building Inspection in the Department of Public Works) for eleven years. I have been licensed as a Structural Engineer by the State of California since 1978. I received a Master's degree in civil engineering from the University of Pittsburgh and a Bachelor's degree in engineering from Chung Young University, Taiwan.
2. I have worked in the Commercial Plan Checking Division of the Department of Building Inspection for the 11 years I have been employed at the Department of Building Inspection. My job is to review plans for building permits to ensure that modifications to existing commercial structures comply with the requirements of the current San Francisco Building Code (the "1995 Building Code"). The San Francisco Building Code is based on the Uniform Building Code, as adopted and amended by the State of California and the City of San Francisco.
3. On May 13, 1997, Sutro Tower, Inc. (STI) submitted a building permit application and plans and specifications to structurally reinforce the existing tower. In support of this permit application, STI filed two volumes of engineering analysis prepared in February, 1995 by Kline Towers. These analyses included the project sponsor's calculations for wind loading and earthquake loading.

4. The calculations provided by Kline Towers were insufficient because they were performed to demonstrate compliance with the outdated seismic standards in the 1992 San Francisco Building Code and wind requirements that are not applicable. As a result, on June 1, 1997 I requested further information from STI. A true and correct copy of my June 1, 1997 plan review comments is attached hereto as Exhibit A. When I received the requested information, I used it to evaluate the wind and seismic design of the proposed modifications in accordance with the current code requirements.

5. I was orally informed by an STI representative that STI plans to install a new beam to support digital transmission antennas at some time in the future. The supplementary documentation STI provided indicated that this beam and the antennas together will weigh 25,500 pounds (more than twelve tons). A true and correct copy of the documentation indicating that the beam and antennas are expected to weigh a total of 25,500 pounds is attached hereto as Exhibit B.

6. My review of the STI building permit application and plans, like any other application and plans, focused exclusively on determining whether the proposed modifications, as described in the permit application and the corresponding plans, satisfied the current Building Code. In this instance, my review concentrated on ensuring that the proposed modifications would be able to current code requirements for winds and seismic shocks.

7. San Francisco uses the wind loading requirements established in Chapter 16, Division II of the Uniform Building Code. The Uniform Building Code prescribes that all structures in San Francisco must meet minimum wind loads of 70 miles per hour. The Code also prescribes a formula that is used to derive more rigorous wind loading requirements for

individual structures at particular locations. The formula includes variables to account for the structure's shape, exposure, gust magnitude, location and function.

8. San Francisco current Building Code uses the seismic design requirements established in Chapter 16, Division III of the Uniform Building Code. The Code prescribes requirements for individual structures based on the structure's height; framing; location in relation to active faults; soil type and function. The entire City and County of San Francisco is located within "Zone 4" which is the Uniform Building Code's designation for the highest level of seismic risk.
9. Based on my review of the additional information provided by STI, I concluded that the proposed modifications to structurally reinforce the existing tower met the applicable San Francisco Building Code requirements.
10. I approved the permit application on August 5, 1997.
11. It is my understanding that the work proposed pursuant to application No. 9708664 is now underway and is partially complete.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 30, 1997

Yan Yan Chew, S.E.

[redacted] MISSION STREET, 2ND FLR.
SAN FRANCISCO, CA 9410
PHONE (415) 558-613
FAX (415) 558-604

ARCHITECTURAL & [redacted] REVIEW COMMENTS

This application is being withheld pending resolution of the followin comments. Until then the application is considered incomplete pursuant t Government Code Section 65943 and Chapter 4.5 of Division 1 Title 7; and i subject to cancellation in accordance with San Francisco Building Cod Section 303(a).1.B. Depending upon internal Bureau routing requirement applicable to your application, additional plan review comments by othe reviewers may be forthcoming.

Jean Alain LeCordeur
641 Williams St
W Columbia S.C. 29169

Application # 9706644

Address: 1 La Avenida St

Work Description: _____

Owner: _____ Phone: _____ Constr.Type: II Tower

Local contact: _____ Occupancy: _____ Stories 44

Architect: _____ Engineer: _____

Phone: ( ) _____ Phone: ( ) _____

NO.	COMMENTS CORRECTIONS REQUIRED-SEE BACK OF PAGE	CODE SECTION
1.	Provide plot plan identify the antenna support location	
2	Provide concrete strength on drawing and tower foundation design	
3	Provide Special Inspection items on drawing	
4	Provide information regard the Dia wayler and location, Size etc.	
5	Provide the stack height and what it carrying and size.	
6	Provide computer input and program for reference point Structural not review, Zone, FAD review first then come back to PC.	

PLAN REVIEW ENGINEER: Yan Yan Chew | DATE: 6/1/97 | REF.:

cc: Owner: ____ Architect: ____ Engineer: ____ Other: _____ Page __ of __

PLANRVCO.FFC 8/94

EXHIBIT A

THE KLINE IRON & STEEL COMPANY
COLUMBIA, S. C.

JOB HDTV ANALYSIS FOR SUTRO TOWER
CUSTOMER SUTRO TOWER, INC.
LOCATION SAN FRANCISCO, CALIFORNIA

ENGINEER KLINE
CHECKED BY S.C
CONTRACT NO. 3704
DATE JAN. 18. 1995

JAL
3-1-95

HDTV STACK AT LEVEL 5 & 6

TUP-C3 ANTENNA
4 @ 8 LAYERS

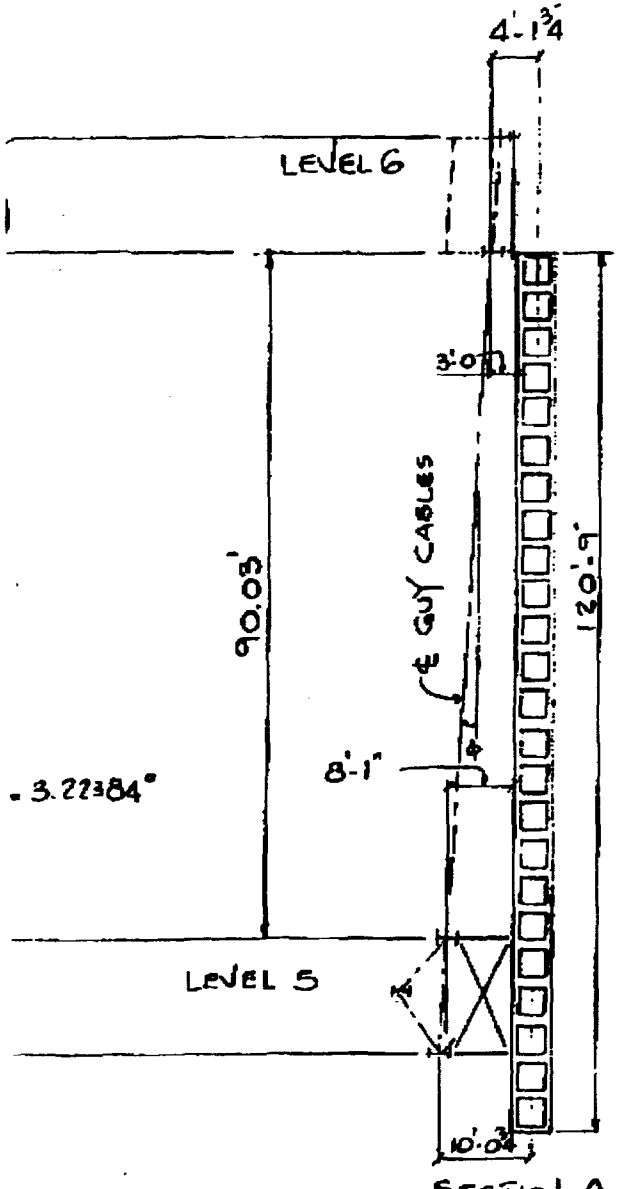
WIND LOAD: EIA-222-E V= 70 MPH

C_AA_c = 764 #' WEIGHT = 19,500 #

SHEAR = 31.01 PSF × 764 = 23692 #

FOR ANT. MOUNT ASSUME: WEIGHT = 6000 #
SHEAR = 5000 #

∴ TOTAL WEIGHT = 19,500 # + 6000 # = 25,500 #
SHEAR = 23,692 + 5000 = 28,692 #



SECTION A-A"

SECTION THRU. LEVEL = 5 & 6 SHOWING MOUNTING OF HDTV ANT. STACK.

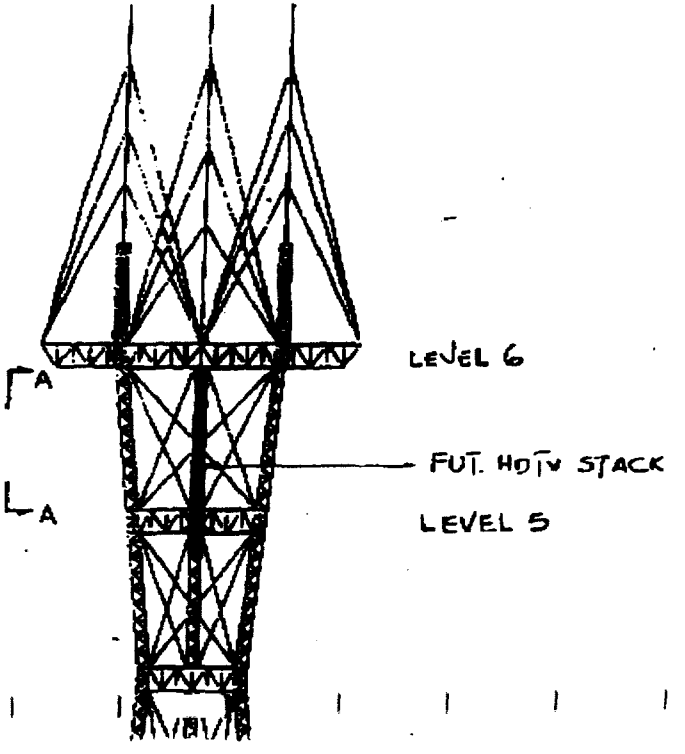


EXHIBIT B
TO DECLARATION OF YAN YAN CHEW, S.E.

Declaration of Robert W. Passmore
in Support of Comments
on Behalf of the City and County of San Francisco
Regarding Preemption of State & Local Regulation of Broadcast Facilities

I, Robert W. Passmore, do declare:

1. I have served as Zoning Administrator for the City and County of San Francisco for 19 years. Before that, I served for 18 years in other positions within the San Francisco Planning Department. As Zoning Administrator, I am responsible for administering and enforcing the City's Planning Code.

2. In mid-December, 1995, I met with representatives of Sutro Tower, Inc. who orally requested an opinion about whether planned modifications to Sutro Tower would require an amendment to the Conditional Use Permit that was granted in 1966 to authorize the original construction the Tower.

3. Nothing in local law required Sutro Tower to request an opinion from me about whether the proposed modifications would require an amendment to Sutro Tower's Conditional Use Permit. This was a voluntary request. Likewise, San Francisco law does not require me to respond to such requests. I agreed to issue a written decision on the matter as a professional courtesy and to establish a clear record for future City decisions. Sutro Tower, Inc. did not tell me it had any particular deadline by which a response from me was desired or needed.

4. When Sutro Tower Inc.'s representatives sought my opinion, no application for any permit was pending before any City department. Neither the application for environmental assessment filed nine months later in September, 1996 nor the

building permit application filed seventeen months later in May, 1997 depended on my response to the request for an opinion about Sutro Tower's Conditional Use Permit.

5. On May 24, 1996, I issued a written opinion that the Conditional Use Permit granted to Sutro Tower in 1966 did not require reconsideration or amendment in order to install digital transmission antennas on the Tower.

6. On July 12, 1996, I attended a meeting in the Mayor's office at which representatives of Sutro Tower, Inc. briefed several department heads and other City staff about plans for installing digital transmission facilities on Sutro Tower. Sutro Tower, Inc. distributed at that meeting a projected timeline for the project entitled "Sutro Tower ATV Implementation Plan." A true and correct copy of the Sutro Tower ATV Implementation Plan is attached as Exhibit A to this declaration.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 30, 1997

Robert Passmore

Exhibits:

A Sutro Tower ATV Implementation Plan

SUTRO TOWER
ATV IMPLEMENTATION PLAN

July, 1996

1996

July	Comments on FCC ATV standards due 7/11/96.
July	Briefing for City Department Heads scheduled for 7/12/96.
July	Review ATV Plan with Television Stations. Meeting Scheduled for 7/17/96.
July	Letter to neighborhood mailing list asking for input questions for EIR.
July	STI Engineering Committee selects vendor for ATV antenna system.
August	FCC adopts new RFR exposure standard.
August	Reply comments on FCC ATV standards due 8/12/96.
August	Final structural report received.
August	ATV Antenna system order placed.
September	FCC issues NPRM on channel allocation.
September	Building permit application for tower structural reinforcement filed.
September	Preliminary draft EIR submitted for review.
October	Receive comments on EIR & begin revisions.
November	Submit revised EIR.
November	FCC adopts ATV standard.
December	Revised draft EIR approved & published.

1997

January	Conduct public hearing on EIR.
February	Submit draft response to public EIR comments.

EXHIBIT A
TO THE DECLARATION OF ROBERT W. PASSMORE

March	Revise and submit response to public EIR comments.
March	FCC adopts channel allocation plan.
March	Conduct public hearing on building permit. Certify EIR. Adopt motion of intent to uphold building permit subject to conditions.
March	Prepare and publish proposed conditions of building permit approval.
April	Stations file FCC applications for ATV construction permit.
April	Conduct 2nd public hearing on building permit. Adopt conditions of approval. Uphold issuance of building permit.
May	Conduct public hearing on appeal of building permit.
June	FCC issues ATV construction permits.
July	Building permit issued.
July	Tower structural reinforcement.
August	ATV antenna installation.
September	Stations begin ATV transmitter installation.

1998

January	ATV operation begins.

Declaration of Richard J. Lee, M.P.H., C.I.H., C.S.P.
in Support of Comments
on Behalf of the City and County of San Francisco
Regarding Preemption of State & Local Regulation of Broadcast Facilities

I, Richard J. Lee, do declare:

1. I serve as a Senior Industrial Hygienist in the San Francisco Department of Public Health's Bureau of Environmental Health Management. I have worked for the Department of Public Health for ten years. I received a Master's degree in Public Health from the University of California at Berkeley in 1979. I have been certified by the Board of Certified Safety Professionals and the American Board of Industrial Hygiene.
2. I am the program manager for the Bureau of Environmental Health's Special Projects program. As program manager, I supervise staff who respond to hazardous material incidents. In addition, I am responsible for disaster planning, oil spill planning, and responding to other hazards created by environmental toxins.
3. On several occasions over the past ten years, I have been involved in investigating concerns that the residents of neighborhoods in proximity to Sutro Tower have experienced rates of cancer higher than would be expected for the general population in San Francisco. In connection with these and other concerns, I have performed field tests on several occasions to measure levels of radiofrequency radiation in the Sutro Tower area.
4. I understand that levels of radiofrequency radiation generally dissipate from their source according to the law of inverse squares. However, in reviewing technical literature about radiofrequency radiation, I have also learned that it is possible for "hot spots" to occur in particular locations in response to particular circumstances.

5. On one occasion, I recall finding a "hot spot" at ground level on a public street in the vicinity of Sutro Tower. I measured levels of radiofrequency radiation that exceeded the then-applicable ANSI standards in proximity to a metal street sign. This sign was located at Farview Court. Based on my understanding that metal can concentrate radiofrequency radiation emitted by nearby sources, I reported the incident to the Department of Public Works and requested that the metal street sign be replaced with another material. It is my understandting that the Department of Public Works did replace the sign.

6. I do not recall the precise date on which I measured the hot spot at Farview Court. Although I am reviewing my records, to date, I have not been able to find any written documentation of these findings.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 29, 1997

Richard J. Lee